REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

> **As per claim 13, Agarwal-Goldband teaches a method of providing to a client, data that was obtained by an agent from a remote device on an internal network the method comprising:**
>
> **receiving the data via an external network, at least some of the data being received periodically (Agarwal: column 3 lines 9-16; where the use of the Internet constitutes an external network; column 7, lines 1-5), formatting the data (Agarwal: column 3, lines 45-53; columns, lines 39- 55) and making the formatted data accessible to a client via the external network (Agarwal: column 3, lines 45-53; column 7, lines 1-5).**
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> *******
> **b.   Agarwal's use of a network has not been limited to an external nor internal network, and so therefore the invention may be used over either type of network.**

The applicant respectfully disagrees. Claim 13 recites both an internal network used by an agent to obtain data, and an external network used to make the data accessible to a client. In Agarwal, the only network referred to is the network of system **10**. Both the obtaining and reporting of data occur over that one network. Agarwal does not refer to the Internet or to any network other than the one network over which its devices communicate. Even if Agarwal's invention may be used over either internal or external networks, it discloses only a single network.

Goldband does refer to the Internet, but only as an "exemplary embodiment" of "a physical communications channel." (col. 3, ll. 2-7) Goldband contemplates only a single network, which may be the Internet. Neither Agarwal nor Goldband describe or would have made obvious "receiving ... via an external network" data that was obtained "from a remote device on an internal network."

> **Claims 1-17, 19-21, 22-38, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agarwal et al. (U.S. 5,958,010) in view of Goldband et al (U.S. 6,434,532).**

As per claim 1, Agarwal teaches a method, for use by an agent of
obtaining data from a device, the method comprising: obtaining
data from the device using system calls (Abstract; column 2, lines
33-39; where the use of system calls is inherent); and
transmitting the data over an external network using one or more
of a plurality of protocols (Abstract; column 1, lines 31- 46;
where the discussion of the intranet and internet accounts for an
external network column 2, lines 33-39; column 9, lines 26-31).
Agarwal does not specifically teach the reception of a plug-in and
loading it into the agent. Goldband teaches the reception of a
plug-in for obtaining data, and loading of a plug-in into an agent
(column 4, lines 23-40; where the use of system calls is inherent)
It would have been obvious to one of ordinary skill in the art at
the time of the invention to employ the method of a plug-in to
control the obtaining of data, as taught by Goldband in the system
of Agarval. The motivation for doing so lies in the fact that the
monitoring can be done more efficiently, and in the case that
different data is needed from the device, a plug-in is easier to
update, rather than reconfiguring the entire system. Both
inventions are from the same field of endeavor, namely the use of
an agent to obtain data from a device.

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a.   Applicant argues that neither cited reference discloses the
use of system calls for obtaining data from a device. Examiner
respectfully disagrees. The very fact that Goldband discloses the
retrieving of data from a server or a device necessitates the fact
that system calls were used for this task. The system calls
constitute the very backbone of the utility of the invention.

Without conceding the examiner's position, claim 1 has been amended and is patentable

for at least the reasons for which claim 13 is patentable. Goldband also does not describe and

would not have made obvious "obtaining data from a device on an internal network" and

"transmitting the data over an external network."

Claims 22-38 and 40-42 are rejected on the same basis as 1-17 and
19-21 as claims 22-38 and 40-42 are means of implementing claims
1-17 and 19-21.

Claim 22 has been amended and is patentable for at least the reasons for which claim 13

is patentable.

Claims 18 and 39 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Agarwal-Goldband in further view of Powell (U.S.
6,314,328).
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All of the dependent claims are patentable for at least the reasons for which the claims on

which they depend are patentable.

Applicant : Marcio Carvo de Almeida et al.   Attorney's Docket No.: 12971-003001
Serial No. : 09/954,819
Filed   : September 18, 2001
Page   : 10 of 10

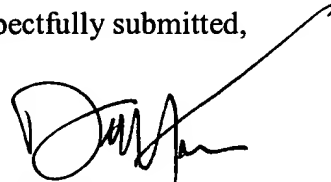Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Enclosed is a $60.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, reference 12971-003001.

Respectfully submitted,

Date:_____11|20|5_____

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